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milestone occurs, rounded to the nearest whole dollar.

(b) The payment amount for each of the Phase 2 milestones:

(1) For title II disability beneficiaries (including concurrent title II/title XVI disability beneficiaries) is equal to 36% of the payment calculation base as defined in § 411.500(a)(1) for the calendar year in which the month of attainment of the milestone occurs, rounded to the nearest whole dollar;

(2) For title XVI beneficiaries (who are not concurrently title II disability beneficiaries) is equal to 36% of the payment calculation base as defined in § 411.500(a)(2) for the calendar year in which the month of attainment of the milestone occurs, rounded to the nearest whole dollar.

[73 FR 29347, May 20, 2008]

§ 411.545 How are the outcome payments calculated under the outcome-milestone payment system?

The amount of each monthly outcome payment under the outcome-milestone payment system is calculated as follows:

(a) For title II disability beneficiaries (including concurrent title II/title XVI disability beneficiaries), an outcome payment is equal to 36 percent of the payment calculation base as defined in § 411.500(a)(1) for the calendar year in which the month occurs, rounded to the nearest whole dollar;

(b) For title XVI disability beneficiaries (who are not concurrently title II/title XVI disability beneficiaries), an outcome payment is equal to 36% of the payment calculation base as defined in § 411.500(a)(2) for the calendar year in which the month occurs, rounded to the nearest whole dollar.

(c) The following chart provides an example of how an EN could receive milestone and outcome payments:

OUTCOME-MILESTONE PAYMENT TABLE
CHART I—NEW OUTCOME-MILESTONE PAYMENT TABLE
[2008 figures for illustration only]

| Payment type | Beneficiary earnings | Title II amount of payment | Title XVI amount of payment |
|---------------------------------------|---|----------------------------|-----------------------------|
| Phase 1 (120% of Title II PCB) | | | |
| Milestone 1 | \$335/mo. \$670/mo. × 3 mo. work in a 6-month period. | \$1,177 | \$1,177 |
| Milestone 2 | \$1,177 | \$1,177. | |
| Milestone 3 | \$670/mo. × 6 mo. work in a 12-month period. | \$1,177 | \$1,177 |
| Milestone 4 | \$670/mo. × 9 mo. work in an 18-month period. | \$1,177 | \$1,177 |
| Total Phase 1 milestones. | | \$4,708 | \$4,708 |
| Phase 2 (36% of PCB) | Gross Earnings>SGA | | |
| Title II milestones 1–11 | \$353 × 11 = \$3,883 | | |
| Title XVI milestones 1–18 | \$203 × 18 = \$3,654. | | |
| Total Phase 1 + 2 | \$8,591 | \$8,362. | |
| | Outcome payments (36% of PCB). | | |
| Title II = 1–36 | Monthly cash benefit not payable due to SGA. | \$353 × 36 = \$12,708 | |
| Title XVI = 1–60 | Sufficient earnings for federal cash benefits = "0". | 203 × 60 = \$12,180. | |
| Total milestone and outcome payments. | \$21,299 | \$20,542. | |

Definitions and amounts: Payment Calculation Base (PCB)—The average title II disability insurance benefit

payable under section 223 of the Social Security Act for all beneficiaries for months during the preceding calendar

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year; and the average payment of supplemental security income benefits based on disability payable under title XVI (excluding State supplementation) for months during the preceding calendar year to all beneficiaries who have attained 18 years of age but have not attained 65 years of age. (2008 title II = \$981.17, title XVI = \$563.35).

Gross earnings requirements for Phase 1 are based on Trial Work level amounts.

For Phase 1 milestones only, the payments are calculated for both title XVI and title II beneficiaries using the higher title II payment calculation base. All other payments are based on a percentage of the Payment Calculation Base (PCB) for the respective program (title XVI or title II). See §411.535 for a discussion of the circumstances under which we will pay milestones.

Phase 1 milestones = 120% of PCB.

Phase 2 milestones = 36% of PCB.

Outcome payments (under the outcome-milestone payment system) = 36% of PCB Earnings used to meet the first, second, or third Phase 1 milestone may be counted again when determining if a later milestone is met,

provided the earlier earnings fall within the relevant time period for meeting the later Phase 1 milestone (see 411.525(a)(2) for the relevant time period for each milestone).

[73 FR 29348, May 20, 2008]

§411.550 How are the outcome payments calculated under the outcome payment system?

The amount of each monthly outcome payment under the outcome payment system is calculated as follows:

(1) For title II disability beneficiaries (including concurrent title II/title XVI disability beneficiaries), an outcome payment is equal to 67% of the payment calculation base as defined in §411.500(a)(1) for the calendar year in which the month occurs, rounded to the nearest whole dollar;

(2) For title XVI disability beneficiaries (who are not concurrently title II/title XVI disability beneficiaries), an outcome payment is equal to 67% of the payment calculation base as defined in §411.500(a)(2) for the calendar year in which the month occurs, rounded to the nearest whole dollar.

CHART II—NEW OUTCOME PAYMENT SYSTEM TABLE—TITLE II AND CONCURRENT

[2008 figures for illustration only]

| Payment type | Beneficiary earnings | Title II amount of monthly outcome payment | Title II total outcome payments |
|--|---|--|---------------------------------|
| Outcome payments 1–36 (67% of PCB) | Monthly cash benefit not payable due to SGA | \$657.00 | \$23,652 |

CHART III—NEW OUTCOME PAYMENT SYSTEM TABLE—TITLE XVI ONLY

[2008 figures for illustration only]

| Payment type | Beneficiary earnings | Title XVI amount of monthly outcome payment | Title XVI total outcome payments |
|--|---|---|----------------------------------|
| Outcome payments 1–60 (67% of PCB) | Earnings sufficient to "0" out Federal SSI cash benefits. | \$377.00 | \$22,620 |

NOTE: Outcome payment (outcome payment system) = 67% of PCB Individual payments are rounded to the nearest dollar amount.

2008 non-blind SGA level = \$940.

2008 Blind SGA = \$1570.

2008 TWP service amount = \$670.

[73 FR 29348, May 20, 2008]

§411.551 How are EN payments calculated for transition cases pending on July 21, 2008?

A *Transition case* is a case where a ticket had been assigned and milestones or outcomes had been attained as of June 30, 2008 (that is, the individual has completed the necessary work to trigger a milestone or outcome payment before July 21, 2008 regardless